PART IV

Section 1-C

RULES, ORDERS AND NOTIFICATIONS UNDER CENTRAL ACTS AND ORDINANCES

NOTIFICATION.

No. L.D. 916—Legis. 5-52-58, Bangalore, dated 19th August 1952.

Ordered that Notification No. S.R.O. 1271, dated the 17th July 1952 of the Ministry of Home Affairs, amending the Indian Arms Rules, 1951, published in the *Gazette of India*, Part II, Section 3, dated the 26th July 1952, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and Secretary to Government, Law Department.

GOVERNMENT OF INDIA.

MINISTRY OF HOME AFFAIRS.

New Delhi, the 17th July 1952.

S.R.O. 1271.—In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby directs that the following further amendments shall be made in the Indian Arms Rules, 1951, namely :—

1. In rule 1, sub-rule (2), for the words " Part B States " the words " the State of Jammu and Kashmir ", shall be substituted.

2. In rule 2, sub-rule (1), after the words " Additional District Magistrate ;", the words " and in respect of a Part B State, an officer specially designated in this behalf by the Government of the State concerned "; shall be inserted.

3. In rule 3—

(*a*) in sub-rule (1), the words " in Part A States and Part C States ", shall be deleted.

(*b*) in Schedule I, in " THE TABLE ", against entry 1(*e*), the following shall be substituted for the existing words in column 1, namely :—

" Lieutenant Governor or Chief Commissioner of a Part C State ".

(*c*) in Schedule II, in " THE TABLE ", the following words shall be substituted for the existing words in column 1 against entry 1 :—

" The whole of India except the States of Jammu and Kashmir, Patiala and East Punjab States Union, Punjab and Delhi ".

(*d*) in Schedule II, in "THE TABLE", the following words shall be substituted for the existing words in column 1 against entry 2 :—

"The whole of India except the State of Jammu and Kashmir."

(*e*) in Schedule II, in "THE TABLE", the following words shall be substituted for the existing words in column 1 against entry 3 :—

"The States of Punjab, Patiala and East Punjab States Union and Delhi.

(*f*) in Schedule II, in "THE TABLE", the following words shall be substituted for the existing words in column 1 against entry 4 :—

"The States of Punjab, Patiala and East Punjab States Union, Himachal Pradesh and Bilaspur (Simla Hills)."

(*g*) in Schedule II, in "THE TABLE", the following words shall be substituted for the existing words in column 1 against entry 5 :—

"The whole of India except the State of Jammu and Kashmir, and all districts on the external land frontier of India."

(*h*) in Schedule II, in "THE TABLE", the existing words in columns 1, 2 and 3 against entry 7 shall be deleted.

(*i*) in Schedule II, in "THE TABLE", the following entry shall be added after entry 7 :—

"8. The State of Madhya Bharat.	Bows, arrows and swords commonly used by Bhils and such other members of the backward classes as the State Government may notify from time to time.	All."

(*j*) In Schedule III, in column I of THE TABLE, the words "the whole of India except the State of Jammu and Kashmir" shall be substituted for the words "a Part A State or Part C State".

(*k*) in Schedule IV, in the heading, the words "in Part A States and Part C States" shall be deleted.

4. In rule 4, the words "the whole of India" shall be substituted for the words "all Part A States and Part C States".

5. In rule 5, sub-rule (2), the following clause shall be inserted after the existing clause (*a*) :—

"(*aa*) where the articles are consigned to a place in a Part B State—to the Chief Secretary to the Government of the State concerned or any officer authorised by him, or"

6. (*a*) In rule 8, the following clause shall be added after the existing clause (*c*) :—

"(*d*) of arms, ammunition or military stores, at the ports in the States of Travancore-Cochin and Saurashtra—by the Chief Secretary to the Government of the State concerned".

(*b*) In Form II in Schedule VIII, the words "———————————— Chief Secretary to the Government ————————" shall be added below the words "Board of Revenue in ment of the State of—
Madras."

7. In rule 9—

(*a*) in clause (*a*), the following words shall be added at the end :—

"the ports in the States of Travancore-Cochin, Saurashtra and Kutch or"

(*b*) in clause (*b*), the following words shall be added after the word "Tuticorin" :—

"and the ports in the States of Travancore-Cochin, Saurashtra and Kutch."

(*c*) after the words—

"District Magistrate of the district", the following words shall be added :—

"Chief Secretary to the Government of the Part B State".

8. (*a*) In rule 10, sub-rule (1), the following clause shall be inserted after the existing clause (*a*) :—

"(*aa*) where they are consigned to a place in a Part B State—by the Chief Secretary to the Government of the State concerned, or"

(*b*) In sub-rule (4)—

(*i*) before the words "District Magistrate of the district", the words "Chief Secretary to the Government of the Part B State or any officer authorised by him/" shall be inserted,

(*ii*) for the words "such Magistrate", the words "such Chief Secretary or officer/Magistrate" shall be substituted.

(*c*) In Schedule VIII, Form III, the following words shall be added above the words "District Magistrate of.....district [rule 10(4)]" :—

"Chief Secretary to the Government of the State of..... [rule 10(4)]".

(*d*) In Schedule VIII, Form III, entry (*b*) under the heading "FEE" shall be deleted.

9. In rule 11, sub-rule (2), the following words shall be added at the end :—

"or in the case of a Part B State the Chief Secretary, or any officer authorised by him",

10. In rule 12,

(*a*) in sub-rule (1), clause (*a*), before the words "District Magistrate of the District" the following words shall be inserted :—

"the Chief Secretary to the Government of the Part B State or"

(*b*) in sub-rule (1), clause (*a*) for the words "as the District Magistrate" the following words shall be substituted :—

"as the Chief Secretary/the District Magistrate"

(*c*) in clause (*b*) of sub-rule (1), the following sub-clause shall be inserted after the existing sub-clause (1) :—

"(*ia*) in any place in a Part B State—to the Chief Secretary the Government of the State concerned or any officer authorised by him, or"

11. In rule 14—

(*a*) in sub-rule (1), the following clause and word shall be inserted after the existing clause (*b*) :—

"(*bb*) at the ports in the States of Travancore-Cochin and Saurashtra—by the Chief Secretary to the Government of the State concerned or"

(*b*) in sub-rule (2), for clause (*a*), the following clause shall be substituted, namely :—

"(*a*) to such one of the ports specified in clauses (*a*), (*b*) and (*bb*) of sub-rule (1), or"

(*c*) in sub-rule (3), the following clause and word shall be inserted after the existing clause (*a*) :—

"(*aa*) where they are consigned to a port in Travancore-Cochin or Saurashtra,—to the Chief Secretary to the Government of the State concerned or any officer authorised by him, or"

(*d*) in Schedule VIII, Form IV, the following words shall be inserted above the words "District Magistrate of the.....district" wherever they occur :—

"Chief Secretary to the Government of the State of....."

12. In rule 15—

(*a*) in sub-rule (1), clause (*a*), after the words "or Cochin", the following words shall be inserted :—

"or any ports in Travancore-Cochin or Saurashtra"

(*b*) in Schedule V, the following words shall be substituted for the existing words in column 2 against entries (1) and (2) :—

"Any port in India"

(*c*) in sub-rule (4), clause (*c*), the following words shall be inserted at the end :—

"or if the port of export is in a Part B State, the Chief Secretary to the Government of the Part B State, or any officer authorised by him"

13. In rule 16 —

(*a*) in sub-rule (4), before the words "District Magistrate of the District", the following words shall be inserted :—

"the Chief Secretary to the Government of the Part B State or any officer authorised by him/"

(*b*) in sub-rule (4), for the words "such Magistrate", the following words shall be substituted :—

"such Chief Secretary or officer/Magistrate"

(*c*) in sub-rule (5), clause (*a*), the following sub-clause shall be inserted after the existing sub-clause (*i*) :—

"(*ia*) in the case of Part B States,—to the Chief Secretary to the Government of the State concerned or any officer authorised by him"

(*d*) in sub-rule (5), clause (*b*), the words "the Chief Secretary or the officer authorised by him", shall be inserted after the words "Commissioner of Police".

(*e*) in sub-rule (5), at the end of clause (*c*), the following words shall be inserted :—

"or if the place of export is in a Part B State, the Chief Secretary to the Government of the Part B State or any officer authorised by him".

14. In rule 17—

in sub-rule (1), the following words shall be inserted at the end :—

"or if the district is in a Part B State, to the Chief Secretary to the Government of the Part B State or any officer authorised by him ".

15. In rule 18, the word 'India' shall be substituted for the words "a Part A State or a Part C State ", wherever they occur.

16. In rule 19, sub-rule (2), clause (*b*), sub-clause (*i*), the words "in a Part A State or a Part C State." shall be deleted.

17. (*a*) In rule 20, sub-rule (2), the following clause and word shall be inserted after the existing item (*a*) :—

"(*aa*) where the articles are consigned to a place in a Part B State—to the Chief Secretary to the Government of the State concerned or any officer authorised by him".

(*b*) In Schedule VIII, in Form I, the following words shall be inserted below the words "District Magistrate of the.....district " :—

"Chief Secretary to the Government of the... .....State ".

18. In rule 21, sub-rule (2), clause (*aa*), the following words shall be added at the end :—

"or any officer authorised by him ".

19. In rule 22, sub-rule (1), clause (*aa*), at the end, the following words shall be added :—

"or any officer authorised by him ".

20. In rule 24—

(*a*) for sub-rule (1), the following sub-rule shall be substituted :—

"(1) Save as otherwise provided by rules 5, 7 and 20, a comprehensive licence in Form VIII for the import of arms, ammunition or military stores and for their re-export may be granted, where they are consigned from any place in Nepal to any place in India except the State of Jammu and Kashmir, by the Ambassador of India in Nepal ".

(*b*) in sub-rule (2), clause (*a*), for the existing words, "or the Chief Secretary to the Government of the State concerned", the following words shall be substituted :—

"or in the case of a Part B State, the Chief Secretary to the Government of the State or any officer authorised by him".

(*c*) in Schedule VIII, in Form VIII, for the words "Licensing authority concerned ", the following words shall be substituted :—

"Chief Secretary to the Government of the ..... State ".

21. In rule 26, sub-rule (3), clause (*b*) of the proviso shall be deleted.

22. In rule 28, sub-rule (2), the following clause shall be inserted after clause (*a*):—

"(*aa*) where they are to be kept in a place in a Part B State—to the Chief Secretary to the Government of the State concerned or any officer authorised by him."

23. In rule 31—

(*a*) in sub-rule (1), the following clause shall be inserted after the existing clause (*a*) :—

"(*aa*) in any of the States of Hyderabad, Mysore, Madhya Bharat, Patiala and East Punjab States Union, Rajasthan, Saurashtra and Travancore-Cochin—by the District Magistrate for D.B.B.L. guns, S.B.B.L. guns and other similar smaller arms excluding revolvers and pistols; by the Chief Secretary to the Government of the State concerned, for revolvers, pistols and all other weapons;"

(*b*) in sub-rule (1), clause (*c*) shall be deleted.

(*c*) in clauses (*i*) and (*ii*) of the proviso to sub-rule (1), the word "India" shall be substituted for the words, "any Part A State or Part C State", wherever they occur.

(*d*) for sub-rule (2), the following sub-rule shall be substituted :—

"(2) Any licence granted under sub-rule (1) may be made valid by the licensing authority as follows :—

(*a*) when granted by the authorities mentioned in clauses (*a*) and (*b*) of that sub-rule, throughout the State in which it is granted or any specified part thereof or throughout the whole or any specified part of India,

(*b*) when granted by a District Magistrate under clause (*aa*) of that sub-rule, throughout the district concerned,

(*c*) when granted by the Chief Secretary to the Government of a Part B State under clause (*aa*) of that sub-rule, throughout the State in which it is granted or any specified part thereof or throughout the whole or any specified part of India, and

(*d*) when granted by the Ambassadors of India in Nepal under clause (*d*) of that sub-rule, throughout the whole or any specified part of India."

(*e*) in sub-rule (3), the words "the State" shall be substituted for the words "the Part A State or Part C State".

(*f*) in sub-rule (4), the word 'India' shall be substituted for the words "Part A States and Part C States."

24. In rule 32—

(*a*) in sub-rule (1), the word 'India' shall be substituted for the words "a Part A State or Part C State".

(*b*) in clauses (*a*) and (*b*) of the proviso to sub-rule (1), the word 'India' shall be substituted for the words "any Part A State or Part C State" wherever they occur.

(*c*) in sub-rule (1), the following clause shall be inserted after the existing clause (*a*) :—

"(*aa*) if the port of arrival is in a Part B State—by the appropriate licensing authority mentioned in rule 31, sub-rule (1), clause (*aa*), and".

(*d*) in sub-rule (2), the words "or any officer authorised by him" shall be inserted at the end of clause (*c*).

(e) in Schedule VIII, in Form XVII, the following words shall be added below the words "District Magistrate, ...District." occurring at the end :—

"Chief Secretary to the Government of the..... State".

(f) in Schedule VIII, in Form XVII, in the heading, the words "in a Part A State or a Part C State" shall be deleted.

25. In rule 35—

(a) in sub-rule (1), the word 'State' shall be substituted for the words "Part A State or Part C State".

(b) in Schedule VIII, in Form XX, under '*Exception*', the words 'in all Part A States and Part C States' shall be deleted.

(c) in Schedule VIII, in Form XX, in the heading, the words "any State" shall be substituted for the words "any Part A State or Part C State".

26. In rule 40—

(a) in sub-rule (3), the following words shall be inserted after the words "in question" :—

"or in the case of the States of Hyderabad, Mysore, Madhya Bharat, Patiala and East Punjab States Union, Rajasthan, Saurashtra and Travancore-Cochin, by an authority specially empowered by the Chief Secretary to the Government of the State concerned".

(b) in clause (a) (ii) of the proviso to sub-rule (3), the words "in a Part A State or Part C State" shall be deleted.

(c) in clause (b) of the proviso to sub-rule (3), the words "in a Part A State or Part C State" shall be inserted before the words "any Sub-divisional Magistrate".

27. In rule 41, sub-rule (1), in clause (b), the words "a State" shall be substituted for the words "a Part A State or Part C State".

28. In rule 44—

(a) in sub-rule (2), the word "India" shall be substituted for the words "a Part A State or Part C State".

(b) in sub-rule (4), the words "or Chief Secretary of a Part B State" and "or of any of the States of Hyderabad, Mysore, Madhya Bharat, Patiala and East Punjab States Union, Rajasthan, Saurashtra and Travancore-Cochin" shall be deleted.

(c) in sub-rule (5), the words "or Bombay, the Deputy Commissioner of Police in Calcutta, or by the District Magistrate of Delhi or Meerut" shall be deleted.

(d) in Schedule VII, against entry (1) (c) in column 1, the words "Indian States Forces maintained by the former Indian States" shall be substituted for the words "late Armed Forces maintained by Part B States".

[No. 9/105/49-Police (I)].

U. K. GHOSHAL, Dy. Secy.